

UNITED STATES DISTRICT COURT  
FOR THE  
WESTERN DISTRICT OF NEW YORK

ACV AUCTIONS, INC., )

Plaintiff, )

v. )

Case No. 1:22-cv-649

NATIONAL AUTO AUCTION )  
ASSOCIATION, INC., AUTO AUCTION )  
SERVICES CORPORATION, MANHEIM )  
AUCTIONS, INC., ADESA US AUCTION, )  
LLC, ADESA, INC., SERVNET )  
AUCTION GROUP, and INDEPENDENT )  
AUTO AUCTION SERVICES )  
CORPORATION d/b/a INDEPENDENT )  
AUCTION GROUP, )

Defendants. )

**ENTRY ORDER**

By letter dated March 22, 2023, Plaintiff ACV Auctions, Inc. requests that the court schedule an initial pretrial conference under Fed. R. Civ. P. 16 and Local Rule 16(b). (Doc. 84.) Plaintiff also advises that Defendants' position is that such a conference is premature while Defendants' Rule 12(b)(6) motions to dismiss (Docs. 55, 57) are pending. In this case, the court finds good cause to delay the initial pretrial conference because Defendants' motions could result in dismissal or otherwise materially alter the scope of the case. The court anticipates receipt of Defendants' replies in support of their Rule 12(b)(6) motions by May 2, 2023, and will schedule a Rule 16 conference if those motions are not granted in full. SO ORDERED.

Dated this 24th day of March, 2023.



Geoffrey W. Crawford, Judge  
United States District Court